

**LAW OFFICES OF
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July 18, 2006

Honorable Sean J. McLaughlin
U.S. District Judge
U.S. District Court
For the Western District of Pennsylvania
17 South Park Row
Erie, PA 16501

**Re: De Leon v. Crawford Central School District , et.al.
United States District Court for the Western District Court of
Pennsylvania No. 05-126E**

Dear Judge McLaughlin:

The Plaintiff Claudette de Leon submits a Memorandum explaining the steps she has taken to fully comply with the Court's Order compelling plaintiff to produce tax returns for the years 2003 thru 2005, together with an affidavit.

On the basis of this submission, plaintiff requests that the Court deny the defendants' Motion for Sanctions for Failure to Comply with the Court Order.

Thank you for your consideration.

Respectfully submitted,



Caleb Nichols
Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLAUDETTE de LEON

Plaintiff

Vs.

(NO. 05-126E)

CRAWFORD CENTRAL SCHOOL DISTRICT
CRAWFORD CENTRAL SCHOOL BOARD

Defendants

MICHAEL E. DOLECKI, SUPERINTENDENT

Defendant

CHARLES E. HELLER, III, ASSISTANT
SUPERINTENDENT

Defendant

PLAINTIFF'S RESPONSE IN
OPPOSITION TO DEFENDANTS'
MOTION FOR SANCTIONS
FOR FAILURE TO COMPLY WITH
COURT ORDER


CALEB NICHOLS
COUNSEL FOR PLAINTIFF
CLAUDETTE de LEON

MEMORANDUM

1. The defendants' Motion For Sanction For Failure To Comply with a Court Order of June 26, 2006 is draconian, unfair, and overreaching. In Paragraph 4 of defendant's Motion For Sanction, there is an acknowledgement by defendants that the plaintiff has produced the documents enumerated herein, and therefore, has for all practical purposes fully complied with the Court's Order.
2. Nevertheless, the defendants have sought to cast a shadow of doubt over the plaintiff's credibility. In particular, the defendants had questioned plaintiff's testimony concerning her work at a club playing piano, and teaching salsa dancing, and taking care of a woman with cancer. Upon further inquiry, the defendants have questioned plaintiff's wage information for 2004 and 2005 tax year.
3. As can be seen from Plaintiff's enclosed affidavit, she did not receive a form W-2 for some of the services she rendered during 2004 and 2005 tax years. It appears that the income that she received during this period was relatively meager and the expenses associated with her earnings may have exceeded her income.

4. Since plaintiff has taken reasonable and bona fide steps to comply with the Court's Order, there is no basis to grant the defendants' Motion For Sanctions that include attorney fees and other requested penalties.

Caleb Nichols
7/18/06

July 13, 2006

To Whom It May Concern,

I would like to testify that on the following dates I did not receive any W2 for services rendered during these weeks or months.

On March, 2004 – I did fly to Maryland to take care of an old lady Mrs. Huffmann. I did received \$300.00 dollars for the entire amount of time I spent taking care of this lady. The expenses exceeded the earnings since I had to pay for my airplane ticket and the gasoline expense in driving back and forth in the weekend. Mrs. Huffmann claimed that She could not pay me more. I had to go back home to look for another job.


For few months in 2004-2005 I did teach salsa classes and I did play the piano at Latino's Restaurant. I did not receive any W2 or any other proof of income earned. I spent more in gasoline driving back and forth for the little work I did The expenses exceeded the earnings. The owner of Latino's was struggling. He didn't have too much business.

Sincerely,


Claudette de Leon

Commonwealth of Pennsylvania
County of Erie

Subscribed and sworn to before me this 13th day of July, 2006. Personally appeared Claudette de Leon.


Notary Public

